

Joint Standing Committee on State and Local Government

LD 975

An Act to Establish the Department of Health and Family Services

ONTP

Sponsor(s)
MORRISON

Committee Report
ONTP

Amendments Adopted

LD 975 was carried over from the First Regular Session. The bill proposed to establish the Department of Health and Family Services. The department would have assumed fully the duties of the current Department of Human Services and Department of Mental Health and Mental Retardation. The department would have consisted of 4 bureaus: the Bureau of Child and Family Services, the Bureau of Health, the Bureau of Income Maintenance and the Bureau of Long-term Services. The department would have included the Division of Substance Abuse, bringing into the department the current Office of Substance Abuse.

In Part B LD 975 proposed to transfer from the Department of Human Services and the Department of Mental Health and Mental Retardation to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees of those 2 departments. It would have directed the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes.

In Part C LD 975 proposed to direct transitional activities concerning the budget and the functions of the departments involved. It would have directed the Joint Standing Committee on Human Resources to submit legislation needed to correct errors and inconsistencies.

In Part D LD 975 proposed to amend the Maine Revised Statutes, Title 5 as required to establish the new department.

In Part E LD 975 proposed to amend the Maine Revised Statutes, Title 22 as required to transfer functions from the Department of Human Services to the Department of Health and Family Services.

In Part F LD 975 proposed to amend the Maine Revised Statutes, Title 34 as required to transfer functions from the Department of Mental Health and Mental Retardation to the Department of Health and Family Services.

In Part G LD 975 proposed to amend the Maine Revised Statutes, Title 2 as required to establish the Department of Health and Family Services and corrects cross references in Title 5.

In Part H LD 975 would have corrected cross references in the Maine Revised Statutes, Title 34-B.

In Part I LD 975 proposed to transfer the Office of Substance Abuse from the Executive Department to the Department of Health and Family Services and would have changed the office's name to the Division of Substance Abuse.

In Parts J and K LD 975 proposed to transfer from the Office of Substance Abuse to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees of that office.

It would have directed the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes. It would have directed transitional activities concerning the budget and the functions of the departments involved. It would have directed the Joint Standing Committee on Human Resources to submit legislation needed to correct errors and inconsistencies.

LD 1185 An Act to Give the Washington County Legislative ONTP
Delegation a Role in the County Budget Process

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER	ONTP	

LD 1185 was carried over from the First Regular Session. Under current law the Washington County budget is finalized by the county commissioners following input from the county budget advisory committee and the county legislative delegation. LD 1185 proposed to require the county commissioners to present budget recommendations to the county legislative delegation following input from the budget advisory committee. The legislative delegation would have had final authority for approval of the county budget.

LD 1213 An Act to Implement the Recommendations of the Special ONTP
Commission on Governmental Restructuring

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	ONTP	

LD 1213 contains the recommendations of the Special Commission on Governmental Restructuring and was carried over from the First Regular Session.

Part A of the bill proposed to implement the recommendations of the majority of the Special Commission on Governmental Restructuring regarding the creation of an Office of Advocacy to replace several existing advocacy organizations. The commission's report contains a minority view on this issue.

Part B of the bill proposed to establish the ~~8~~-member Public Education Strategic Planning Council. The members of the council would have been the Chancellor of the University of Maine System, the President of the Maine Technical College System, the President of the Maine Maritime Academy, the Commissioner of Education, one person from each of the boards of trustees of the University of Maine System, the Maine Technical College System and the Maine Maritime Academy and one person who is a member of the State Board of Education. The purpose of the council would have been to create and maintain a ~~long~~ term strategic plan for public education in the State and make related funding and policy recommendations to the Legislature.

Part C of the bill proposed to reorganize the Department of Environmental Protection along functional lines, reducing the size of the Board of Environmental Protection from 10 members to 3 members and limiting the board's authority to hearing appeals of the license decisions of the Commissioner of Environmental Protection. All other duties formerly vested in the board, including all rulemaking activities, all licensing functions and the authority to modify, revoke or

suspend licenses would have been assumed by the commissioner. Part C would have made an appeal to the board a prerequisite for the filing of a judicial appeal.

Part D of the bill proposed to require the Director of the Bureau of Information Services to ensure that standards for the acquisition of data processing and telecommunications equipment by state agencies optimize the electronic exchange of information and promote interagency telecommunications. Part D also would have directed the Bureau of General Services, within the Department of Administrative and Financial Services, to develop a plan for the ~~cost~~ effective consolidation of state-owned facilities using a model that incorporated assessment of cost advantages of owning versus leasing.

Part E of the bill proposed to establish the Maine Cultural Foundation as a nonprofit corporation for the purpose of supporting the State's cultural heritage.

LD 1443 An Act to Identify New Federal Mandates

PUBLIC 591

Sponsor(s)
GERRY

Committee Report
OTP-AM

Amendments Adopted
H-775

LD 1443 was carried over from the First Regular Session. The bill proposed to create a mechanism in which agencies in State Government would be required to identify and assess the impact of any federally mandated program and identify those provisions inconsistent with state laws. It also would have required that a state agency consider the cost of the mandate as well as the impact on the State's citizens when developing policies in response to a federal mandate.

Committee Amendment "A" (H775) replaced the original bill. The amendment would have required every agency and department of the State to submit to the State Budget Officer a list of any new laws, new regulations or other actions that may require the State to comply with any federal mandate. The State Budget Officer would be required to provide a compiled list of new federal mandates to the Legislature by January 1st of each year. The amendment also would have added a fiscal note.

Enacted law summary

Public Law 1995, chapter 591 was enacted as proposed by Committee Amendment A. The law requires every agency and department of the State to submit to the State Budget Officer a list of any new laws, new regulations or other actions that may require the State to comply with any federal mandate. The State Budget Officer is required to provide a compiled list of new federal mandates to the Legislature by January 1st of each year. The amendment also adds a fiscal note.

LD 1566 An Act to Reform the Kennebec County Budget Process

ONTP

Sponsor(s)
MITCHELL EH

Committee Report
ONTP

Amendments Adopted

LD 1566 was carried over from the First Regular Session. The bill proposed to change the budget process in Kennebec County by removing the requirement that the budget be submitted to the Legislature for approval and by allowing the county commissioners to change the budget submitted by the budget advisory committee, but only by a unanimous vote. The bill would have

changed the terms of the Kennebec County commissioners to unstagge~~red~~ear terms. The bill also required tax bills issued in Kennebec County to state the portion of taxes being raised by the municipality for Kennebec County and the names of the Kennebec County commissioners.

LD 1570 An Act to Establish a User Fee System for Towns Requiring Sheriff's Services ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
OTT	ONTP MAJ OTP-AM MIN	

LD 1570 proposed to make the following changes to laws regarding the cost of county government and was carried over from the First Regular Session.

1. It would have permitted county commissioners to charge user fees to municipalities for the cost of law enforcement functions.
2. It would have provided that if the county commissioners of York County assess such user fees, then the municipalities that use law enforcement functions must pay 60% of the cost to the county for providing these functions, apportioned among these municipalities on a ~~per~~capita basis and the balance must be funded by the general county tax on all municipalities.
3. It would have clarified that existing law permits county commissioners to assess a municipality for communications services related to dispatching county police services in that municipality.
4. It would have given county commissioners authority to assess a ~~municipality~~ municipality a fee for the capital costs of communications equipment.
5. It would have given the county commissioners of York County authority to collect from a municipality fees for booking and pretrial detention costs at the county jail for arrestees from that municipality.
6. It would have allowed a municipality to recover these booking and pretrial detention costs from the arrested person if that person is convicted of any criminal offense related to the arrest. The bill provided that the sentencing court assess as part of the sentence a reimbursement fee to cover a municipality's costs under this bill unless the court determines that the person does not have the ability to pay. It also provided that if a person is assessed this fee and does not pay, that person's license or permit to operate a motor vehicle in this State must be suspended.

Committee Amendment "A" (H780) would have replaced the bill. It proposed to authorize York County, through the county charter process, to adopt an alternative method of funding the cost of county services that is based, in whole or in part, on the collection of user fees. The amendment applied only to York County. (Not adopted)

LD 1612 An Act to Repeal the Requirement that Disbursement PUBLIC 549

Warrants Receive an Affirmative Vote by Municipal Officers

EMERGENCY

Sponsor(s)
AMEROCommittee Report
OTP-AMAmendments Adopted
S-421
S-444

LD 1612 proposed to repeal the language added by Public Law 1995, chapter 83 that requires an affirmative vote of the municipal officers on the disbursement warrant, in addition to the signatures of a majority of those officers, in order for the municipal treasurer to disburse money.

Committee Amendment "A" (S421) requires municipal funds to be disbursed only by warrant affirmatively voted and signed by a majority of the municipal officers. The bill would have removed the requirement of an affirmative vote. This amendment proposed to retain the requirements of current law but would have allowed municipalities to provide by charter or ordinance for alternative methods of authorizing the municipal treasurer to disburse funds.

Senate Amendment "A" (S444) proposed to add an emergency preamble and an emergency clause to the bill.

Enacted law summary

Public Law 1995, chapter 549 allows municipalities to provide by charter or ordinance for a method of authorizing the municipal treasurer to disburse funds other than by warrant voted on and signed by a majority of the municipal officers. The law was enacted as an emergency measure effective March 20, 1996.

LD 1615 An Act to Amend the Piscataquis County Budget Process

PUBLIC 520

Sponsor(s)
HALLCommittee Report
OTP-AMAmendments Adopted
S-423

LD 1615 proposed to amend the Piscataquis County budget process to remove legislative involvement.

Committee Amendment "A" (S423) proposed to clarify that the county commissioners have final approval authority over the budget and any amendments to the budget.

Enacted law summary

Public Law 1995, chapter 520 removes the requirement that the Piscataquis County budget be approved by the Legislature. The county commissioners have final authority over the county budget.

LD 1617 An Act to Establish the Penobscot County Budget Committee

PUBLIC 682

Sponsor(s)
HALLCommittee Report
ONTP MAJ
OTP-AM MINAmendments Adopted
S-476
S-586

LD 1617 proposed to establish the Penobscot County Budget Committee.

Committee Amendment "A" (~~\$476~~) proposed several changes to the bill. It would have:

1. Changed the selection process for the county legislative delegation members of the budget committee so that they are chosen by the county delegation;
2. Required the county commissioners and budget committee to explain the proposed county budget to the legislative delegation at a meeting called by the chair of the legislative delegation;
3. Changed the vote needed for the budget committee to override changes made by the county commissioners in the budget committee's recommended budget from 4/5 of the committee's membership to 2/3;
4. Clarified that the budget as finalized by the county commissioners and budget committee is the authorization for the assessment of county taxes;
5. Repealed the budget committee on December 31, 1999; and
6. Added a fiscal note.

House Amendment "A" To Committee Amendment "A" (~~\$55~~) would have made the municipal official and the legislative delegation members to the Penobscot County Budget Committee nonvoting members. (Not adopted)

House Amendment "B" To Committee Amendment "A" (~~\$83~~) would have specified that the municipal official be an elected municipal official and makes the legislative delegation members to the Penobscot County Budget Committee nonvoting members. (Not adopted)

Senate Amendment "A" (~~\$586~~) would have provided a General Fund appropriation to the Department of Administrative and Financial Services of \$1,000 in fiscal year ~~1996~~ to provide additional funds for the local costs associated with the Penobscot County Budget Committee including additional advertising, postage and printing costs.

Enacted law summary

Public Law 1995, chapter 682 establishes the 15-member Penobscot County Budget Committee. The budget committee includes 3 members of the county legislative delegation selected by the delegation, and the budget must be presented to the delegation each year by the county commissioners and budget committee. The county commissioners approve the county budget, except that the budget committee may override changes made in the committee's recommendations by a 2/3 vote of the full membership of the committee.

LD 1679 Resolve, Regarding Legislative Computer Information Systems INDEF PP

Sponsor(s)
GWADOSKY

Committee Report
OTP-AM

Amendments Adopted

LD 1679 would have established the Commission to Study the Use of the Legislative Computer System to review the appropriate use of the Legislative computer information system. The

commission would have been required to issue its report and any necessary legislation by February 15, 1996.

Committee Amendment "A" (~~H~~666) would have replaced the original bill and addressed the problem with the current law cited by the office of the Attorney General, in a memorandum dated August 11, 1995. The amendment would have prohibited the use of the state computer system to advocate for the election or defeat of any elected municipal, county or state candidate, including leadership positions, any constitutional officers or federal representatives. The amendment also would have clarified that any document created or stored on a State Government computer system must be made available in compliance with the Maine Revised Statutes, Title 1, chapter 13, the Maine Freedom of Access Law. (Not adopted)

LD 1683 An Act to Establish the Town Boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan Located in the County of Somerset P & S 64

Sponsor(s)
STEDMAN

Committee Report
OTP

Amendments Adopted

The purpose of LD 1683 was to define and describe with greater certainty the location of the common boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan.

Enacted law summary

Private and Special Law 1995, chapter 64 describes the location of the common boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan.

LD 1700 An Act to Allow the Removal from Public Office of Certain Elected County Officials PUBLIC 683

Sponsor(s)
BUNKER

Committee Report
OTP-AM

Amendments Adopted
H-803
H-916

LD 1700 proposed to expand current law to provide consistent treatment in the appointment of a replacement to fill a vacancy caused by death, resignation, removal from the county and permanent incapacity in the offices of judge of probate, register of probate, county commissioner, county treasurer, sheriff and register of deeds. The bill directed the Governor to appoint a person to fill a vacancy until after the next general election if the incumbent elected official becomes permanently incapacitated. Similar provisions already exist for district attorneys and municipal officers.

Committee Amendment "A" (~~H~~803) proposed to define the term "permanent incapacity" that results in a vacancy in county office. The amendment also removed the emergency preamble and emergency clause from the bill and added a fiscal note to the bill.

House Amendment "C" (H916) proposed to strike from the bill provisions concerning appointments to fill vacancies in the office of sheriff, leaving the law regarding vacancies in the office of sheriff as it currently exists.

Enacted law summary

Public Law 1995, chapter 683 establishes a consistent treatment in the filling of vacancies caused by death, resignation, removal from the county and permanent incapacity in the offices of judge of probate, register of probate, county commissioner, county treasurer and register of deeds. The Governor appoints a replacement until the next general election. Chapter 683 also defines the term permanent incapacity.

LD 1701 An Act to Reduce the Number of Legislative Confirmation Hearings PUBLIC 519

Sponsor(s)
DAGGETT

Committee Report
OTP-AM

Amendments Adopted
H-699

LD 1701 proposed to reduce the number of legislative confirmation hearings by removing the confirmation requirement for various boards and commissions. In addition it proposed to replace a reference to the Maine Commission for Women in the Maine Commission on Domestic Abuse.

Committee Amendment "A" (H699) proposed to remove the Land for Maine's Future Board, the Loring Development Authority of Maine, the Marine Resources Advisory Council, the Inland Fisheries and Wildlife Advisory Council and the Real Estate Commission from the bill. The entities would have continued to be subject to legislative confirmation. The amendment also would have added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 519 removes the requirement for legislative confirmation from the following boards and commissions: Board of Directors of the Maine Education and Training Export Partnership, Maine Science and Technology Foundation, Adaptive Equipment Loan Program Fund Board, Maine Education Assistance Board, Maine Education Loan Authority, and the chair of the Maine State Cultural Affairs Council.

LD 1723 Resolve, Authorizing the Sale by the State of a Certain Parcel of Land to Joseph Squeglia RESOLVE 65

Sponsor(s)
DEXTER

Committee Report
OTP-AM

Amendments Adopted
H-717

LD 1723 would have allowed the State to sell a certain parcel of land to Joseph Squeglia upon payment of back taxes owed.

Committee Amendment "A" (H717) would have clarified that in addition to back taxes, Mr. Squeglia must also pay interest and other related costs.

Enacted law summary

Resolve 1995, chapter 65 authorizes the State to sell a certain parcel of land to Joseph Squeglia upon payment of back taxes, interest and other related costs owed.

LD 1735 An Act to Clarify the Agency Rulemaking Process

PUBLIC 574

Sponsor(s)
AMERO

Committee Report
OTP-AM

Amendments Adopted
S-455

LD 1735 proposed to make changes in the provisions of the Maine Administrative Procedure Act governing legislative review of certain agency rules to:

1. Clarify that the review requirements apply to major substantive rules adopted pursuant to legislative authority enacted after January 1, 1996;
2. Establish that if new rulemaking legislation fails to indicate whether a rule is subject to legislative review, the rule is subject to review automatically; and
3. Direct the Secretary of the Senate and the Clerk of the House of Representatives jointly suggest a committee of reference for each rule to be reviewed by the Legislature and to publish notice of receipt of the rule and the suggested reference in the daily Calendar for action by both chambers.

Committee Amendment "A" (S455) proposed to remove the requirement in the bill that any new rule not categorized by the Legislature in the authorizing legislation as either "routine technical" or "major substantive" to be automatically considered a major substantive rule and subject to legislative review. The amendment also restored the requirement in current law that 20 copies of a major substantive rule and related materials be initially submitted to the Executive Director of the Legislative Council for distribution to a joint standing committee and so that legislative leadership and nonpartisan staff have notice of pending rule reviews.

Enacted law summary

Public Law 1995, chapter 574 clarifies that the legislative review of agency rules applies to major substantive rules adopted pursuant to legislative authority enacted after January 1, 1996 and provides that rules filed with the Legislature enacted after January 1, 1996 and provides that rules for review be referred to the appropriate joint standing committee in the same manner as bills.

LD 1736 An Act to Amend the Budget Process in Androscoggin County

ONTP

Sponsor(s)
FITZPATRICK

Committee Report
ONTP

Amendments Adopted

LD 1736 proposed to abolish the current Androscoggin County budget committee and replace it with the Androscoggin County Budget Advisory Committee. The bill also would have established a position of Androscoggin County manager.

**LD 1745 An Act to Establish the Boundary Line between the Town of
Cornville and the Towns of Solon and Athens**

P & S 65

Sponsor(s)
MILLS

Committee Report
OTP

Amendments Adopted

LD 1745 proposed to define and describe with greater certainty the location of the common boundary between the Town of Cornville and the Towns of Solon and Athens.

Enacted law summary

Private and Special Law 1995, chapter 65 describes the location of the common boundary between the Town of Cornville and the Towns of Solon and Athens.

**LD 1751 Resolve, to Authorize the Exchange of a Parcel of Land Owned
by the State with One Owned by Luke Bolduc**

RESOLVE 62

Sponsor(s)
GUERRETTE
MCCORMICK

Committee Report
OTP

Amendments Adopted

LD 1751 proposed to authorize the Commissioner of Defense and Veterans' Services to exchange a certain piece of land owned by the State with a certain piece of land owned by a private citizen.

Enacted law summary

Resolve 1995, chapter 62 authorizes the Commissioner of Defense and Veterans' Services to exchange a certain piece of land owned by the State with a certain piece of land owned by a private citizen.

**LD 1754 An Act to Improve the Hancock County Budget
Procedure**

DIED BETWEEN HOUSES

Sponsor(s)
RUHLIN
POVICH

Committee Report
ONTP MAJ
OTP-AM MIN

Amendments Adopted

LD 1754 proposed to require the Hancock County commissioners to present the county budget to the Hancock County legislative delegation and would have given the Hancock County legislative delegation authority to modify the budget by a 2/3 vote.

Committee Amendment "A" (\$492) would have replaced the bill. The amendment proposed to shift the responsibility for calling and scheduling the informational meeting on the Hancock County budget estimates from county commissioners to the chair of the county legislative delegation. Copies of the budget estimate would have been required to be provided for the delegation 7 days before the meeting. The amendment also clarified the process for the apportionment of county taxes and clarified that a copy of the final county budget must be filed

with the State Auditor. Finally, the amendment would have added a mandate preamble and fiscal note to the bill.

LD 1790 An Act to Implement Performance Budgeting in State Government

PUBLIC 705
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	OTP-AM	S-502
DAGGETT		S-525

LD 1790 would have defined a schedule for implementing performance budgeting in State Government. Performance budgeting allocates resources based on the achievement of measurable objectives, which, in turn, are related to an agency's mission and goals. As strategic planning clarifies agencies' objectives and lays the foundation for performance-based budgets, this bill would have required all state agencies to develop strategic plans. This bill would have required that each state agency develop in the next biennium a strategic plan and tie measurable objectives for one program to its budget proposal.

Because performance budgets are based on an agency's goals and objectives, the budget is not centered around programs that will achieve those goals. Frequently, agencies share common goals. As a result, effective budgeting requires agencies to conduct joint strategic planning and budgeting. This bill would have required that agencies of State Government that share common goals and objectives be grouped into policy areas. For the 202001 biennium, this bill would have required strategic planning and performance budgets on a policy basis.

Committee Amendment "A" (§502) would have made some technical changes, correcting several dates. The amendment also would have required that an agency consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over that agency's matters for the development of a strategic plan.

Senate Amendment "A" To Committee Amendment "A" (S-525) would have removed the Department of Corrections from the group of departments required to participate in a demonstration project to develop joint strategic plans and budgets in the area of job training.

Senate Amendment "B" To Committee Amendment "A" (§572) would have clarified that Legislators are not entitled to the legislative per diem or any expenses for attendance at any meetings regarding performance-based budgeting if those meetings are held when the Legislature is not in session. (Not adopted)

Enacted law summary

Public Law 1995, chapter 705 defines a schedule for implementing performance budgeting in State Government. Performance budgeting allocates resources based on the achievement of measurable objectives, which, in turn, are related to an agency's mission and goals. As strategic planning clarifies agencies' objectives and lays the foundation for performance-based budgets, the law requires all state agencies to develop strategic plans. The law also requires that each state agency develop in the next biennium a strategic plan and tie measurable objectives for one program to its budget proposal. In developing their plans, agencies must consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over their affairs.

Because performance budgets are based on an agency's goals and objectives, the budget unit is centered around programs that will achieve those goals. Frequently, agencies share common goals. As a result, effective budgeting requires agencies to conduct joint strategic planning and budgeting. Chapter 705 requires that agencies of State Government that share common goals and objectives be grouped into policy areas. For the 2000-2001 biennium, the law requires strategic planning and performance budgets on a policy area basis.

Public Law 1995, chapter 705 was enacted as an emergency measure effective April 12, 1996.

LD 1792 An Act Concerning the Number of Washington County Commissioners PUBLIC 611

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY	OTP-AM	S-487

LD 1792 proposed a referendum to ask the voters of Washington County whether the county should be reapportioned to increase the number of county commissioner districts. The bill also would have repealed the 2 at-large county commissioner positions created in 1995.

Committee Amendment "A" (S487) proposed to add a mandate preamble and a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 611 repeals the 2 at-large county commissioner positions established in 1995 and sets up a referendum to determine whether the voters of Washington County wish the county to be reapportioned into 5 county commissioner districts.

LD 1810 An Act to Amend the Boundary between Berwick and South Berwick ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNUM	ONTP	

LD 1810 would have established a new boundary between the Town of Berwick and the Town of South Berwick.

LD 1821 Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in Certain Real Estate and Personal Property Held by Various State Agencies at 6 Locations RESOLVE 80

Sponsor(s)
MITCHELL EH
AMERO

Committee Report
OTP-AM

Amendments Adopted
H-806
S-583

LD 1821 proposed to give the Commissioner of Administrative and Financial Services authority to lease or to convey ownership or possession of certain state property to purchasers or lessees. The commissioner would be able to list the properties with one or more real estate brokers, solicit bids by newspaper advertisement or sell directly to purchasers. The commissioner would have established the purchase price and the terms of sale or lease.

Committee Amendment "A" (H806) proposed to eliminate the conveyance of the Aroostook County property and clarifies that revenues that exceed a certain amount must be deposited in either the Reserve Fund for State House Preservation and Maintenance or the General Fund, depending on the amount of excess. This amendment also proposed to add an allocation section and a fiscal note to the resolve.

Senate Amendment "A" To Committee Amendment "A" (S83) proposed to add the Bath Children's Home to the properties that the Department of Administrative and Financial Services is authorized to sell or lease.

Enacted law summary

Resolve 1995, chapter 80 gives the Commissioner of Administrative and Financial Services authority to lease or to convey ownership or possession of certain state property to purchasers or lessees. The commissioner may list the properties with one or more real estate brokers, solicit bids by newspaper advertisement or sell directly to purchasers. The commissioner shall establish the purchase price and the terms of sale or lease.

**LD 1828 An Act to Transfer Land from the Town of Brownfield
to the Town of Hiram**

P & S 69

Sponsor(s)
TRUE

Committee Report
OTP-AM

Amendments Adopted
H-791

LD 1828 proposed to establish a new boundary between the Town of Hiram and the Town of Brownfield by transferring to the Town of Hiram a portion of land and all of the Notch Road that extends through the Town of Brownfield.

Committee Amendment "A" (H791) proposed to add a mandate preamble, an effective date requiring an affirmative vote by the residents of Brownfield and a fiscal note to the bill.

Enacted law summary

Private and Special Law 1995, chapter 69 establishes a new boundary between the Town of Hiram and the Town of Brownfield by transferring to the Town of Hiram a portion of land and all of the Notch Road that extends through the Town of Brownfield. The transfer is effective upon approval of the voters of the Town of Brownfield.

**LD 1840 Resolve, for Laying the County Taxes and Authorizing Expenditures of Piscataquis County for the Year 1996 RESOLVE 66
EMERGENCY**

Sponsor(s) Committee Report Amendments Adopted
OTP

LD 1840 proposed to authorize the laying of the county taxes and expenditures of Piscataquis County government for the year 1996.

Enacted law summary

Resolve 1995, chapter 66 authorizes the laying of county taxes and expenditures of Piscataquis County government for the year 1996 and was enacted as an emergency measure effective March 28, 1996.

**LD 1844 An Act Authorizing County Commissioners to Enact Ordinances PUBLIC 607
Concerning Addressing Standards for Enhanced 91-1 Services EMERGENCY
in the Unorganized Territories**

Sponsor(s) Committee Report Amendments Adopted
AMERO
DONNELLY OTP

In order to provide enhanced 91-1 emergency telephone services in the unorganized territories, the county commissioners must assign and maintain physical addresses. The Attorney General has expressed the opinion that this does not constitute a "service" within the meaning of the Maine Revised Statutes, Title 30A, section 7501, subsection 6. LD 1844 proposed to provide specific statutory authority to permit the county commissioners to enact an ordinance to establish standards for assigning and maintaining physical addresses for the purpose of enhanced 91-1 service in the unorganized territories.

Enacted law summary

Public Law 1995, chapter 607 provides specific statutory authority to permit the county commissioners to enact an ordinance to establish standards for assigning and maintaining physical addresses for the purpose of enhanced 91-1 service in the unorganized territories. The law was enacted as an emergency measure effective April 2, 1996.

**LD 1845 Resolve, for Laying the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1996 RESOLVE 67
EMERGENCY**

Sponsor(s) Committee Report Amendments Adopted
OTP

LD 1845 proposed to authorize the laying of the county taxes and expenditures of Penobscot County government for the year 1996.

Enacted law summary

Resolve 1995, chapter 67 authorizes the laying of county taxes and expenditures of Penobscot County government for the year 1996 and was enacted as an emergency measure effective March 28, 1996.

**LD 1859 An Act to Authorize the Disposition of Property Interests
at the Pineland Center**

P & S 79

Sponsor(s)
BUTLAND

Committee Report
OTP-AM

Amendments Adopted
S-528
S-585

LD 1859 proposed to provide for the disposition of property interests in Pineland Center. The bill would have created the Pineland Conversion Committee, which would have had the authority to enter into agreements for the sale or lease of Pineland Center.

If the Pineland Conversion Committee did not enter into a contract for the sale or lease of substantially all of the state property, the Governor would have appointed members to the Pineland Development Authority, which would have the authority to manage the property in the name of the State.

Committee Amendment "A" (§528) proposed to make a technical change to the bill. It also would have provided that affirmative votes of the Pineland Conversion Committee and the Pineland Development Authority must include one and two votes, respectively, of local members, clarifies that future private uses of the property are subject to local zoning ordinances, required that offers pursuant to section 12 of the bill must be in writing and clarified that the purposes of special utility districts under section 13, subsection 5 of the bill are not exclusive. The amendment also would have added an appropriation section and a fiscal note to the bill.

Senate Amendment "A" To Committee Amendment "A" (§85) proposed to delete the appropriation section since the 1996-1997 supplemental budget, L.D. 1759, as amended, includes funding for this same purpose.

Enacted law summary

Private and Special Law 1995, chapter 79 creates the Pineland Conversion Committee, which has the authority to enter into agreements for the sale or lease of Pineland Center.

If the Pineland Conversion Committee does not enter into a contract for the sale or lease of substantially all of the state property, the Governor shall appoint members to the Pineland Development Authority, which will have the authority to manage the property in the name of the State as provided in the law.

LD 1872 Resolve, to Secure a Release of Property from the State

RESOLVE 81

Sponsor(s)
MCCORMICK

Committee Report
OTP-AM

Amendments Adopted
S-536

SHIAH

LD 1872 proposed to authorize the release of the State's interest in a parcel of land that escheated to the State when the owner died intestate, with no known heirs, in 1960. Subsequently, in 1965, the property was purchased by the Arlt family from the Town of Richmond. However, there has never been any legislative action taken regarding the transfer of this property. Thus, this resolve is necessary to quiet title to the property.

Committee Amendment "A" (§36) proposed to replace the resolve and establish a dollar amount, not to exceed \$12,240, for the conveyance of certain parcels of land situated in the Town of Richmond. The amendment also proposed to clarify the tax map lots of the property and adds a fiscal note to the resolve.

Enacted law summary

Resolve 1995, chapter 81 authorizes the conveyance of the State's interest in certain parcels of land in Richmond for not more than \$72,240. The land that escheated to the State when the owner died intestate, with no known heirs, in 1960.

LD 1878 Resolve, to Amend the 1995 Kennebec County Budget RESOLVE 77

Sponsor(s)
MADORE

Committee Report

Amendments Adopted

LD 1878, which was engrossed without reference to committee, proposed to amend last year's budget resolve for Kennebec County to account for reimbursements for housing state and federal prisoners that exceeded budgeted amounts and for associated costs that also exceeded budgeted amounts. The amendment restores balance in the county budget and makes funds available to pay the costs incurred. It does not affect the amount raised by taxation.

Enacted law summary

Resolve 1995, chapter 77 amends the 1995 Kennebec County budget to account for reimbursements to the county for housing state and federal prisoners that exceeded budgeted amounts and for associated costs that also exceeded budget amounts.

**LD 1881 Resolve, for Laying the County Taxes and Authorizing RESOLVE 82
Expenditures of Kennebec County for the Year 1996 EMERGENCY**

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 1881 proposed to authorize the laying of the county taxes and expenditures of Kennebec County government for the year 1996.

Enacted law summary

Resolve 1995, chapter 82 authorizes the laying of county taxes and expenditures of Kennebec County government for the year 1996 and was enacted as an emergency measure effective April 10, 1996.

**LD 1883 Resolve, for Laying the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1996 RESOLVE 83
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-540

LD 1883 proposed to authorize the laying of the county taxes and expenditures of Androscoggin County government for the year 1996.

Senate Amendment "A" (\$540) proposed to add a line that was inadvertently omitted from the resolve and add a fiscal note to the resolve.

Enacted law summary

Resolve 1995, chapter 83 authorizes the laying of county taxes and expenditures of Androscoggin County government for the year 1996 and was enacted as an emergency measure effective April 10, 1996.

**LD 1884 An Act to Reduce Costs for Municipalities PUBLIC 664
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

LD 1884, which was engrossed without reference to committee, proposed to reduce costs for municipalities in the following ways.

1. Require that notice of public hearings be sent by certified mail.
2. The First Regular Session of the 117th Legislature created a limited exemption from the requirement to perfect municipal deposits for short-term deposit or "sweep" accounts. The term of the exemption is 72 hours, but because on-day holiday weekends the account terms will not change for time periods greater than 72 hours, the term of the exemption must be changed to 96 hours in order to gain the benefit from the exemption.

Enacted law summary

Public Law chapter 664 reduces costs for municipalities by authorizing notice of public hearings to be sent by certified mail (instead of registered mail) and by extending the exemption for short-term municipal deposits or "sweep" accounts from 72 to 96 hours. The law was enacted as an emergency measure effective April 10, 1996.

**LD 1885 An Act Regarding the State Government Computer System PUBLIC 703
EMERGENCY**

Sponsor(s)
GWADOSKY

Committee Report

Amendments Adopted

LD 1885, which was engrossed without reference to committee, addresses a problem with the current law cited by the office of the Attorney General, in a memorandum dated August 11, 1995. The bill proposed to prohibit the use of the state computer system to advocate for the election or defeat of any elected municipal, county or state candidate, including leadership positions, any constitutional officers or federal representatives. The bill also proposed to clarify that any document created or stored on a State Government computer system must be made available in compliance with the Maine Revised Statutes, Title 1, chapter 13, the Maine Freedom of Access Law.

Enacted law summary

Public Law chapter 703 prohibits the use of the state computer system to advocate for the election or defeat of any elected municipal, county or state candidate and clarifies that any document created or stored on a State Government computer system must be made available in compliance with the Maine Revised Statutes, Title 1, chapter 13, the Maine Freedom of Access Law. The law was enacted as an emergency measure effective April 11, 1996.

**LD 1886 An Act to Reduce the Notice and Hearing Requirements Imposed PUBLIC 655
on Quasi-municipal Corporations and Districts**

Sponsor(s)
MURPHY

Committee Report

Amendments Adopted

LD 1886, which was engrossed without reference, proposed to require that quasi-municipal corporations or districts must publish notice at least 17 days, but not more than 24 days, before a meeting at which a regulation will be adopted or a program expanded.

Enacted law summary

Public Law chapter 655 requires that quasi-municipal corporations or districts must publish notice at least 17 days, but not more than 24 days, before a meeting at which a regulation will be adopted or a program expanded.

**LD 1887 An Act to Revise the Salaries of Certain County Officers PUBLIC 701
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted
S-551 (SA)

LD 1887 proposed to correct the salaries of certain county officers in Piscataquis County, retroactive to January 1, 1995 and establish the 1996 salaries for county officers in Androscoggin, Kennebec, Penobscot and Piscataquis counties.

Senate Amendment "A" (S551) proposed to correct a clerical error.

Enacted law summary

Public Law chapter 701 establishes the 1996 salaries for county officers in Androscoggin, Kennebec, Penobscot and Piscataquis counties and was enacted as an emergency measure effective April 11, 1996.